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MAR 23 2004 11:12AM

HOLLAND & KNIGHT

NO. 0317 P. 5

PTO/SB/01A (08-03)

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

| | |
|--|--------------------------------|
| Title of Invention | ANTIFUNGAL FORMULATIONS |
| As the below named inventor(s), I/we declare that: This declaration is directed to: <input type="checkbox"/> The attached application, or <input checked="" type="checkbox"/> Application No. <u>10/691,928</u> , filed on <u>October 23, 2003</u> <input type="checkbox"/> as amended on _____ (if applicable); I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought; I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above; I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application. All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon. | |

| | |
|--|-------------------------|
| FULL NAME OF INVENTOR(S) | |
| Inventor one: | <u>Jay A. Goldstein</u> |
| Signature: <u>[Signature]</u> | Citizen of: <u>USA</u> |
| Inventor two: | <u>Michael Rothman</u> |
| Signature: _____ | Citizen of: <u>USA</u> |
| Inventor three: | <u>Whe-Yong Lo</u> |
| Signature: _____ | Citizen of: <u>USA</u> |
| Inventor four: | _____ |
| Signature: _____ | Citizen of: _____ |
| <input type="checkbox"/> Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto. | |

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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HOLLAND & KNIGHT

NO. 0317 P. 6

PTO/SB/01A (08-03)

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

| | |
|---|-------------------------|
| Title of Invention | ANTIFUNGAL FORMULATIONS |
| As the below named inventor(s), I/we declare that: | |
| This declaration is directed to: | |
| <input type="checkbox"/> The attached application, or | |
| <input checked="" type="checkbox"/> Application No. <u>10/691,928</u> , filed on <u>October 23, 2003</u> | |
| <input type="checkbox"/> as amended on _____ (if applicable); | |
| I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought; | |
| I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above; | |
| I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application. | |
| All statements made herein of my/own knowledge are true; all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon. | |

| | |
|--|------------------|
| FULL NAME OF INVENTOR(S) | |
| Inventor one: | Jay A. Goldstein |
| Signature: | Citizen of: USA |
| Inventor two: | Michael Rothman |
| Signature: | Citizen of: USA |
| Inventor three: | Whe-Yong Lo |
| Signature: | Citizen of: USA |
| Inventor four: | |
| Signature: | Citizen of: |
| <input type="checkbox"/> Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto. | |

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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HOLLAND & KNIGHT

NO. 0317—P. 7—

PTO/SB/01A (08-03)

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**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)****Title of Invention** ANTIFUNGAL FORMULATIONS

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/691,928, filed on October 23, 2003
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications; material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Jay A. GoldsteinSignature: _____ Citizen of: USAInventor two: Michael RothmanSignature: _____ Citizen of: USAInventor three: Whe-Yong LoSignature: Whe-Yong Lo Citizen of: USA

Inventor four: _____

Signature: _____ Citizen of: _____

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NO. 0317 P. 8

PTO/SB/61 (06-03)

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

| | |
|------------------------|-------------------------|
| Application Number | 10/691,928 |
| Filing Date | October 23, 2003 |
| First Named Inventor | Jay A. Goldstein |
| Title | Antifungal Compositions |
| Art Unit | |
| Examiner Name | |
| Attorney Docket Number | JAG 100 |

I hereby appoint:

☒ Practitioners at Customer Number:

23579

OR

☐ Practitioner(s) named below:

| Name | Registration Number |
|--------------------|---------------------|
| Patrea L. Pabst | 31,284 |
| Rivka D. Monheit | 48,731 |
| Todd S. Hofmeister | 53,029 |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

23579

OR

| | | | | | |
|--|---------------------------------------|-------|----------------|-----|------------|
| <input type="checkbox"/> Firm or Individual Name | Patrea L. Pabst; Holland & Knight LLP | | | | |
| Address | Suite 2000, One Atlantic Center | | | | |
| Address | 1201 West Peachtree Street, N.E. | | | | |
| City | Atlanta | State | GA | Zip | 30309-3400 |
| Country | USA | | | | |
| Telephone | (404) 817-8473 | Fax | (404) 817-8588 | | |

I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

| | | | |
|-----------|------------------|-----------|--------------|
| Name | Jay A. Goldstein | | |
| Signature | | | |
| Date | 11/11/07 | Telephone | 508-655-0521 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 3 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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HOLLAND & KNIGHT

NO. 0317—P. 9

PTO/SB/81 (06-03)

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

| | |
|------------------------|-------------------------|
| Application Number | 10/691,928 |
| Filing Date | October 23, 2003 |
| First Named Inventor | Jay A. Goldstein |
| Title | Antifungal Compositions |
| Art Unit | |
| Examiner Name | |
| Attorney Docket Number | JAG 100 |

I hereby appoint:

☒ Practitioners at Customer Number:

23579

OR

☐ Practitioner(s) named below:

| Name | Registration Number |
|--------------------|---------------------|
| Patrea L. Pabst | 31,284 |
| Rivka D. Monheit | 48,731 |
| Todd S. Hofmeister | 53,029 |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

23579

OR

| | | | | | |
|--|---------------------------------------|-------|----------------|-----|------------|
| <input type="checkbox"/> Firm or Individual Name | Patrea L. Pabst; Holland & Knight LLP | | | | |
| Address | Suite 2000, One Atlantic Center | | | | |
| Address | 1201 West Peachtree Street, N.E. | | | | |
| City | Atlanta | State | GA | Zip | 30309-3400 |
| Country | USA | | | | |
| Telephone | (404) 817-8473 | Fax | (404) 817-8588 | | |

I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

| | | | |
|-----------|-------------------|-----------|----------------|
| Name | Michael Rothman | | |
| Signature | | | |
| Date | December 17, 2003 | Telephone | (617) 752-4924 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 3 forms are submitted.

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MAR. 23 2004 11:14AM HOLLAND & KNIGHT

NO. 0317—P. 10—

PTO/SB/81 (06-03)

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

| | |
|------------------------|-------------------------|
| Application Number | 10/691,928 |
| Filing Date | October 23, 2003 |
| First Named Inventor | Jay A. Goldstein |
| Title | Antifungal Compositions |
| Art Unit | |
| Examiner Name | |
| Attorney Docket Number | JAG 100 |

I hereby appoint:

☒ Practitioners at Customer Number:

23579

OR

☐ Practitioner(s) named below:

| Name | Registration Number |
|-------------------|---------------------|
| Patrea L. Pabst | 31,284 |
| Rivka D. Monheit | 48,731 |
| Todd S. Hofmister | 53,029 |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

23579

OR

| | | | | | |
|--|---------------------------------------|-------|----------------|-----|------------|
| <input type="checkbox"/> Firm or Individual Name | Patrea L. Pabst; Holland & Knight LLP | | | | |
| Address | Suite 2000, One Atlantic Center | | | | |
| Address | 1201 West Peachtree Street, N.E. | | | | |
| City | Atlanta | State | GA | Zip | 30309-3400 |
| Country | USA | | | | |
| Telephone | (404) 817-8473 | Fax | (404) 817-8588 | | |

I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/95)**SIGNATURE of Applicant or Assignee of Record**

| | | | |
|-----------|--------------|-----------|--------------|
| Name | Whe-Yong Lo | | |
| Signature | <i>WY Lo</i> | | |
| Date | 11/17/03 | Telephone | 781-821-6356 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 3 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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